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January 25, 2023

By ECF

Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *National Coalition on Black Civic Participation, et al. v. Jacob Wohl, et al.*,
SDNY Case No. 20 Civ. 8668 (VM)(OTW)**

Dear Judge Marrero:

Plaintiffs write to inform the Court of supplemental authority recently issued by the Eastern District of New York. In *United States v. Mackey*, No. 21-cr-80, Judge Garaufis rejected a First Amendment argument similar to the one asserted by Defendants here. *See* Ex. A at 38–55.

Respectfully,

/s/ Rick Sawyer
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cc: Counsel of record (via ECF and e-mail)